

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
CAVALIER KNIGHT,

Plaintiff,

22-CV-03215 (LGS)

-against-

ORDER

THE CITY OF NEW YORK, and KEECHANT L.
SEWELL, in her official capacity as Commissioner
of the New York City Police Department and the
statutory handgun licensing officer for the City,

Defendants.

-----X
VALERIE FIGUEREDO, United States Magistrate Judge:

At the conference on November 17, 2022, I directed the City to provide a response to Mr. Knight's argument that he has standing to bring a claim challenging the City's gun-dealer licensing scheme, even though he has not applied for such a license, because it would have been futile for him to do so. I also pointed the City to a case suggesting that a plaintiff is not required to have applied for a license before he can have standing to challenge the licensing scheme where the plaintiff can make a substantial showing that it would have been futile for him to have applied. See, e.g., Doe No. 1 v. Putnam County, 344 F. Supp. 3d 518, 530-31 (S.D.N.Y. 2018). The City's November 30th letter does not address this at all, even though this was the crux of the discussion at the November 17, 2022 conference. The City has until **Friday, December 9, 2022** to provide a response. Specifically, the City should address why Mr. Knight does not have standing to challenge the City's gun-dealer licensing scheme if, as he claims, it would have been futile for him to apply for such a license. **SO ORDERED.**

DATED: New York, New York
December 1, 2022



VALERIE FIGUEREDO
United States Magistrate Judge